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# Statement of Common Ground

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Between Marden Homes and Colchester Borough Council

General Matters

APP/A1530/W/21/3278575

Land adjoining The Gables, Kelvedon Road,  
Tiptree, Essex



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## 1. Introduction

- 1.1 As confirmed in Colchester Borough Council's Delegated Report dated 12<sup>th</sup> August 2021, had it remained for the Council to determine this application, planning permission would have been refused for four reasons – design, impact on protected areas, lack of mechanism to secure mitigation/obligations/financial contributions and highways.
- 1.2 As part of the assessment made to inform this proposed determination however, Colchester Borough Council (CBC) confirmed that development at this location is supported, primarily based on the inclusion of a broad direction of growth arrow on the Policies Map supporting the emerging Local Plan Section 2 and in the absence of the Tiptree Neighbourhood Plan at this point in time, as well as in respect of compliance with other important policies of the adopted and emerging Local Plan, or the National Planning Policy Framework where relevant.
- 1.3 This Statement of Common Ground has been prepared to be read alongside the following matter-specific Statements of Common Ground that are to be agreed with CBC:
- RAMS
  - Highways
  - Housing Land Supply and Needs Position
- 1.4 This statement therefore seeks to establish the points of agreement between Marden Homes as the appellant, and CBC in addition to those detailed within the above statements, including those relating to planning policy and design.

## 2. Common Ground

### General Matters Agreed

2.1 The matters agreed between parties include:

- I) Highway implications are per separate Statement of Common Ground (once fully agreed)
- II) Five year housing land supply as per separate Statement of Common Ground (once fully agreed)
- III) RAMS matters as per agreed Statement of Common Ground
- IV) Infrastructure matters as per items included in draft S106
- V) The Paddocks is an appropriate location for the provision of Gypsy/Traveller accommodation and the relocation of the Pony's Farm plot to be lost. Confirmed through S106. (Officer Report Pg 21)
- VI) The draft Tiptree Neighbourhood Plan cannot be given any weight in the determination of this appeal (JRyan PoE Para. 5.66)
- VII) The proposals sit within a 'broad area of growth' and in principle development at this location is supported (Officer Report Pg 20)
- VIII) The emerging Section 2 Local Plan recognises Tiptree is a sustainable settlement for development
- IX) The emerging Section 2 Local Plan sets a minimum housing requirement for Tiptree

### Design Matters Agreed

2.2 The following points relating to design specifically, are also agreed:

- X) The location of public open space within the site is more appropriate than those proposed at earlier stages of the application (Officer Report Pg 14)
- XI) Pedestrian permeability has been enhanced via the southern pedestrian link.
- XII) Policy compliant provision of parking is achieved (Officer Report Pg 14)
- XIII) Policy compliant provision of private amenity space is achieved (Officer Report Pg 14)
- XIV) It is not considered that the scheme is materially harmful to neighbouring residential amenity (Officer Report Pg 28)
- XV) The impact of the development on the dwelling at 'The Gables' is not materially harmful and capable of landscape mitigation (Officer Report Pg 28)
- XVI) There are no concerns with regards to loss of light or oppressiveness (Officer Report Pg 28)

### General Matters Not Agreed

2.3 The matters that are not currently agreed between parties comprise:

- I) Housing and affordable housing need
- II) Whether the scheme comprises good design

# Statement of Common Ground

## General Matters

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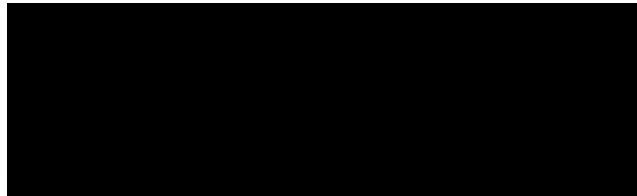
- III) Assessment of most important policies
- IV) Whether the most important policies and settlement boundary are out of date
- V) Whether the tilted balance should apply
- VI) Whether the benefits of the scheme outweigh the negatives (planning balance)
- VII) The adequacy of the POS
- VIII) The adequacy of BNG
- IX) The appropriateness of layout , built forms, contextual relationship, connectivity



### 3. Signed Agreement

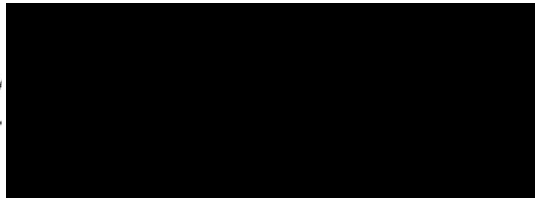
3.1 It is agreed that this statement confirms the matters which are agreed and not agreed between both parties.

Signed by Colchester Borough Council:



Date: 29 March 2022

Signed by Marden Homes:-



Date: 28 MARCH 2022